

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SUPERB MOTOR, INC., TEAM AUTO SALES LLC,
ROBERT ANTHONY URRUTIA, 189 SUNRISE
HIGHWAY AUTO, LLC., NORTHSORE MOTOR
LEASING, LLC., BRIAN CHABRIER, individually and
derivatively as member of NORTHSORE MOTOR
LEASING, LLC., JOSHUA AARONSON, individually and
derivatively as a member of 189 SUNRISE HWY AUTO,
LLC., JORY BARON, 1581 HYLAN BLVD AUTO, LLC.,
1580 HYLAN BLVD AUTO, LLC., 1591 HYLAND
BLVD AUTO, LLC., 1632 HYLAN BLVD AUTO, LLC.,
1239 HYLAN BLVD AUTO, LLC., 2519 HYLAND
BLVD AUTO, LLC., 76 FISK STREET REALTY, LLC.,
446 ROUTE 23 AUTO, LLC., and ISLAND AUTO
MANAGEMENT, LLC.,

Plaintiffs,

-against-

ANTHONY DEO, SARAH DEO, HARRY
THOMASSON, DWIGHT BLANKENSHIP, MARC
MERCKLING, MICHAEL LAURIE, THOMAS JONES,
CPA, CAR BUYERS NYC, INC., GOLD COAST CARS
OF SYOSSET, LLC., GOLD COAST CARS OF
SUNRISE, LLC., GOLD COAST MOTORS
AUTOMOTIVE GROUP, LLC., GOLD COAST
MOTORS OF LIC, LLC., GOLD COAST MOTORS OF
ROSLYN, LLC., GOLD COAST MOTORS OF
SMITHTOWN, LLC., UEA PREMIER MOTORS CORP.,
DLA CAPITAL PARTNERS, INC., JONES, LITTLE &
Co., CPA'S, LLP., FLUSHING BANK, and LIBERTAS
FUNDING, LLC.,

Defendants.

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Case No. 2:23-cv-6188
(JMW)

**NOTICE OF
MOTION TO DISMISS**

Oral Argument Requested

PLEASE TAKE NOTICE, that upon the Memorandum of Law dated February 9, 2024, and upon all the proceedings had herein, defendants Anthony Deo, Sarah Deo, Harry Thomasson, Dwight Blankenship, Marc Merckling, Michael Laurie, Car Buyers NYC, INC., Gold Coast Cars of Syosset, LLC., Gold Coast Cars of Sunrise, LLC., Gold Coast Motors Automotive Group, LLC., Gold Coast Motors Of LIC, LLC., Gold Coast Motors of Roslyn, LLC., Gold Coast Motors of Smithtown, LLC., UEA Premier Motors Corp. will move before this Court at the United States District for the Eastern District of New York, located at 100 Federal Plaza, Central Islip, NY 11722, before the Honorable Magistrate Judge James M. Wicks, for an Order pursuant to Fed. R. Civ. P. 12(b)(1), (6), and (7) dismissing the plaintiffs' Amended Complaint as against the above named defendants, on the grounds that the Complaint: 1) fails to state a cause of action which confers subject-matter jurisdiction upon this Court; 2) fails to state a claim upon which relief can be granted; 3) fails to include all the necessary parties to the action; and 4) for such other and further relief as this Court deems proper.

PLEASE TAKE FURTHER NOTICE that pursuant to Court Order, response brief in opposition to the within motion to dismiss, if any, are to be served on or before March 11, 2024, reply brief, if any is to be served on or before April 1, 2024. All papers are to be filed with the Court on or before April 2, 2024.

Dated: Hicksville, New York
February 9, 2024

LEVINE SINGH, LLP

By: /s/ Brian M. Levine
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